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OFFICE OF PETITIONS

In re Application of :
Charles R. Cantor et al. : DECISION ON PETITION
Application No. 09/030,571 : UNDER 37 C.F.R. §1.182
Filed: February 24, 1998 :
Attorney Docket No. 17120- :
002007 / 2401G :
Title: POSITIONAL SEQUENCING BY :
HYBRIDIZATION :

This is in response to the petition filed on May 3, 2007,
pursuant to 37 C.F.R. §1.182, requesting the withdrawal of a
terminal disclaimer.

On October 7, 2002, Petitioner submitted a terminal disclaimer to
overcome a nonstatutory double patenting rejection over U.S.
Patent Number 6,007,987 in a non-final Office action mailed June
5, 2002.

With this renewed petition, Petitioner has set forth that the
terminal disclaimer contains a typographical error, in that the
wrong patent number was listed thereon. The terminal disclaimer
has been reviewed, and it sets forth that "any patent so granted
on the above-captioned application shall be enforceable only for
and during such period that it and U.S. Patent No. 6,248,767
(emphasis added) are commonly owned."

With the present petition, Petitioner has submitted another
terminal disclaimer, which properly sets forth "any patent so
granted on the above-captioned application shall be enforceable
only for and during such period that it and U.S. Patent No.
6,007,987 (emphasis added) are commonly owned."

With the present petition, Petitioner has included the required petition fee. The Examiner has reviewed Petitioner's request, and has determined that the previously filed terminal disclaimer should be withdrawn.

As such, the petition is **GRANTED**.

The previously filed terminal disclaimer is hereby **WITHDRAWN**. The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the present application can receive further processing.

It is noted that the address listed on the petition differs from the address of record. The application file does not indicate a change of correspondence address has been filed in this case, although the address given on the petition differs from the address of record. If Petitioner desires to receive future correspondence regarding this application, the change of correspondence address must be submitted. A courtesy copy of this decision will be mailed to Petitioner. However, all future correspondence will be directed to the address of record until such time as appropriate instructions are received to the contrary. Petitioner will not receive future correspondence related to this application unless Change of Correspondence Address, Patent Form (PTO/SB/122) is submitted for the above-identified application. For Petitioner's convenience, a blank Change of Correspondence Address, Patent Form (PTO/SB/122), may be found at <http://www.uspto.gov/web/forms/sb0122.pdf>.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



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cc: Fish and Richardson P.C.
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